

**AMENDMENT TRANSMITTAL LETTER**Docket No.  
CELLTH 3.0-003 CONT CONT IIIApplication No.  
10/759,616Filing Date  
January 16, 2004Examiner  
A. N. PryorArt Unit  
1616

Applicant(s): Raymond P. Warrell, Jr., Pier Paolo Pandolfi, and Janice L. Gabrilove

Invention: PROCESS FOR PRODUCING ARSENIC TRIOXIDE FORMULATIONS AND METHODS  
FOR TREATING CANCER USING ARSENIC TRIOXIDE OR MELARSOPROL**TO THE COMMISSIONER FOR PATENTS**

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED					
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
Total Claims	20	- 20 =		x	0.00
Independent Claims	2	- 3 =		x	0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
Other fee (please specify):					
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:</b>					0.00

☒ Large Entity☐ Small Entity☒ No additional fee is required for this amendment.☐ Please charge Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_.  
A duplicate copy of this sheet is enclosed.☐ A check in the amount of \$ \_\_\_\_\_ to cover the filing fee is enclosed.☐ Payment by credit card. Form PTO-2038 is attached.☒ The Director is hereby authorized to charge and credit Deposit Account No. 12-1095  
as described below. A duplicate copy of this sheet is enclosed.☒ Credit any overpayment.☒ Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.

Shawn P. Foley  
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Attorney Reg. No.: 33,071

Dated: August 31, 2004

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Application No. (if known): 10/759,616

Attorney Docket No.: CELLTH 3.0-003 CONT CONT III

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Note: The following papers are submitted:

Terminal Disclaimer (prior patent);  
Terminal Disclaimer (co-pending applications);  
Response;  
Ellison Declaration;  
Copy of Au, et al., Annals of Oncology 14:752-57 (2003);  
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Docket No.: CELLTH 3.0-003  
CONT CONT III  
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Patent Application of:  
Warrell et al.

Application No.: 10/759,616

Filed: January 16, 2004

For: PROCESS FOR PRODUCING ARSENIC  
TRIOXIDE FORMULATIONS AND  
METHODS FOR TREATING CANCER  
USING ARSENIC TRIOXIDE OR  
MELARSOPROL

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: Group Art Unit: 1616  
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: Examiner: A. N. Pryor  
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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT**

Dear Sir:

In response to the official action mailed  
June 16, 2004, Applicants submit the following amendments and  
remarks.